

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4910 of 2002
with
SPECIAL CIVIL APPLICATION No 4912 of 2002
&
SPECIAL CIVIL APPLICATION No 4918 of 2002

For Approval and Signature:

HON'BLE MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the concerned : NO
Magistrate/Magistrates, Judge/Judges, Tribunal/Tribunals?

HOSANG JAHANGIRSHA TODIWALA

Versus

COMPETENT AUTHORITY

Appearance:

1. Special Civil Application Nos. 4910, 4912 & 4918 of 2002
MR RS SANJANWALA for Petitioner No. 1
NOTICE NOT RECD BACK for Respondent No. 1-2
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CORAM : HON'BLE MR.JUSTICE P.B.MAJMUDAR

Date of decision: 30/06/2004

COMMON ORAL JUDGEMENT

By filing these petitions, the petitioners, who are occupying part of the premises known as "Roshan Manzil" as tenants, have prayed that eviction notice dated 18th February, 2002 issued to them by the department, which is at annexure-AA to Special Civil Application No.3732/2002, may be quashed and set aside.

2) So far as Special Civil Application No.3732/2002 is concerned, the same is filed by the tenants' association of Roshan Manzil, Nani Daman. Learned Single Judge of this Court has allowed said Special Civil Application. Naturally, decision given in the Special Civil Application No.3732/2002 will govern the present set of Special Civil Applications.

3) Mr.Sanjanwala, learned Senior Counsel has submitted that even the proceedings initiated against the original owner are quashed and set aside and, therefore, nothing further is required to be done in these matters, as the department is bound to act as per the decision given in Special Civil Application No.3732/2002.

4) Accordingly, now nothing further is required to be done in all these matters, in view of the decision given in Special Civil Application No.3732/2002. In that view of the matter, Mr.Sanjanwala wants permission to withdraw all these petitions with a liberty to revive in case of difficulty.

5) Permission as prayed for is granted. All these petitions are disposed of as withdrawn. Rule discharged. No costs.

(P.B.Majmudar, J.)

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